

Minneapolis City Planning Department Report

Rezoning: BZZ 933 through 941

**CUP Application for a Planned Unit Development: BZZ 942 (Amending BZCU169 and BZCU248)
Preliminary and Final Plat, PL-124**

Date: November 18th, 2002

Applicant: Hennepin County, in cooperation with the Minneapolis Community Development Agency (MCDA), which has a development agreement with CountryHome Builders

Address of Property: Humboldt Avenue North between 49th and 51st Avenues
West side of Girard Avenue North between 49th and 51st Avenues
50th Avenue North between Humboldt and Dupont Avenues

Project Name: Humboldt Greenway Project (Phases 2 and 3)

Date Application Deemed Complete: November 12th, 2002

End of 60-Day Decision Period: January 19th, 2003

End of 120-Day Decision Period: March 20th, 2003

Applicant has Waived 60 Day Requirement: No

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Ward: 4 **Neighborhood Organizations:** Lind-Bohanon Neighborhood Association
Shingle Creek Neighborhood Association

Existing Zoning: R1A, R4, R5, C1

Proposed Zoning: R4

Proposed Use: The Humboldt Greenway Project is a Planned Residential Development consisting of approximately 202 dwelling units, including single-family homes, townhouses, and row houses. Phase 1a, approved by the Planning Commission on June 19th, 2000, included twenty-eight (28) single-family dwellings. Phase 1b, approved by the

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Planning Commission on December 11th, 2000, included thirty (30) single-family homes and thirty-six (36) townhomes in four-unit clusters. Phases 2 and 3, reviewed herein, includes sixty-five (65) single-family homes, twenty-four (24) townhomes in four-unit clusters, and nineteen (19) row houses in clusters of 4, 5, 5, and 6 units.

Authority:

- **Conditional Use Permit Application as a Planned Unit Development (BZZ-942 amending BZCU169 and BZCU248):** Entire development will include 202 dwelling units, with modifications to underlying zoning district standards, per Chapter 527 of the Zoning Code. Approval and subsequent incorporation of Phases 2 and 3 into the Humboldt Greenway PUD adds sixty-five (65) single-family homes, twenty-four (24) townhomes in four-unit clusters, and nineteen (19) row houses in clusters of 4, 5, 5, and 6 units.
- **Preliminary and Final Plat (PL-124):** Replatting (Humboldt Greenway 5th Addition) of parcels including those adjacent to Humboldt Avenue North between 49th and 51st Avenues North; those adjacent to the west side of Girard Avenue North between 49th and 51st Avenues North; and clusters of parcels which, in their entirety, are adjacent to 50th Avenue North between Humboldt and Dupont Avenues North.
- **Rezoning (BZZ-933):** Rezoning from C1 to R4 of Lots 15 and 16, Block 9, Camden Bungalow Addition to Minneapolis (4900 Humboldt Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.
- **Rezoning (BZZ-934):** Rezoning from C1 to R4 of 4901 Humboldt Avenue North (metes and bounds legal description on file) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.
- **Rezoning (BZZ-935) (first portion):** Rezoning from R1A to R4 of Lots 4 through 6 of Block 1, Shingle Creek Addition and Lots 13 through 24 of Block 6 of Thorpe Bros Maple Leaf Addition to Minneapolis (5000-5062 (even) Irving Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.
- **Rezoning (BZZ-935) (second portion):** Rezoning from R5 to R4 of Lots 1 through 3 of Block 1, Shingle Creek Addition (5001, 5003, and 5007 Humboldt Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.
- **Rezoning (BZZ-936):** Rezoning from R1A to R4 of Lots 12 through 17 of Block 5, Camden Bungalow Addition to Minneapolis (5001, 5005 and 5009 Dupont Avenue North; and 5002, 5006 and 5010 Emerson Avenue North) to create consistent R4 zoning throughout the project

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to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.

- **Rezoning (BZZ-937):** Rezoning from R1A to R4 of Lots 1 through 3, 26, and 28 of Block 12, Camden Bungalow Addition to Minneapolis (4949 and 4953 Dupont Avenue North; and 4946 and 4954 Emerson Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.
- **Rezoning (BZZ-938):** Rezoning from R1A to R4 of Lots 12 through 17 of Block 6, Camden Bungalow Addition to Minneapolis (5001, 5007 and 5011 Emerson Avenue North; and 5000, 5004 and 5008 Fremont Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.
- **Rezoning (BZZ-939):** Rezoning from R1A to R4 of Lots 1, 2, 3, 26, 27, and 28 of Block 11, Camden Bungalow Addition to Minneapolis (4947, 4951 and 4955 Emerson Avenue North; and 4944, 4948 and 4952 Fremont Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.
- **Rezoning (BZZ-940):** Rezoning from R1A to R4 of Lots 12 through 17 of Block 7, Camden Bungalow Addition to Minneapolis (5001, 5005, and 5009 Fremont Avenue North; and 5000, 5004 and 5008 Girard Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.
- **Rezoning (BZZ-941):** Rezoning from R1A to R4 of Lots 1, 2, 3, 26, 27 and 28 of Block 10, Camden Bungalow Addition to Minneapolis (4945, 4949 and 4953 Fremont Avenue North; and 4944, 4948 and 4952 Girard Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.

Previous Actions:

MCDA Redevelopment Planning

- Humboldt Greenway Redevelopment Plan (dated November 6, 1998): Recommendation for approval by the Planning Commission on November 30, 1998 and adopted by the City Council on December 18, 1998.
- Humboldt Greenway Roadway Preliminary Layout (dated June 25, 1999): Approval by the City Council on August 27, 1999.
- Modification No. 1 to the Humboldt Greenway Redevelopment Plan (December 23, 1999): Recommendation for approval by the Planning Commission on January 18, 2000 and adopted by

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the City Council on February 4, 2000.

- Modification 67 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan (Humboldt Greenway Redevelopment TIF District) (December 23, 1999): Recommendation for approval by the Planning Commission on January 18, 2000 and adopted by the City Council on February 4, 2000.
- Humboldt Greenway Redevelopment Tax Increment Finance Plan (December 23, 1999): Recommendation for approval by the Planning Commission on January 18, 2000 and adopted by the City Council on February 4, 2000.

Planning Commission approvals of Phase 1a Development Applications (6/19/00)

- Rezoning, BZP36
- Conditional Use Permit Application for a Planned Unit Development, BZCU169
- Vacation, Vac-1325
- Preliminary and Final Plat, PL-59

Planning Commission approvals of Phase 1b Development Applications (12/11/00)

- Rezoning, BZP45, BZP46, BZP47, and BZP48
- Conditional Use Permit Application for a Planned Unit Development, BZCU248 amending BZCU169
- Vacations, Vac-1337, Vac-1338, Vac-1339
- Preliminary and Final Plats, PL-76 and PL-77

Planning Commission approvals of Phase 2 and 3 Street and Alley Vacations (11/4/02)

- Vacations, Vac-1382 through 1385

Related Review: None

Comprehensive Plan Designation: Major Housing Site
Community Corridor

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BACKGROUND

The Humboldt Greenway Project (Project) involves a partnership between Hennepin County, the City of Minneapolis, the State of Minnesota, and the Lind-Bohanon and Shingle Creek Neighborhoods of Minneapolis, among others. The principal purpose of the Project is to eliminate blight and facilitate redevelopment and investment through property acquisition, infrastructure improvements, and environmental and open space improvements. This continues to be accomplished with property acquisition for redevelopment along with the reconstruction of Humboldt Avenue North (County Road Number 57) between Victory Memorial Drive and 53rd Avenue N. The new Humboldt Avenue is parkway-like and includes landscaped boulevards, pedestrian-oriented lights, a “central green,” and new open space and stormwater management ponds adjacent to Shingle Creek and Shingle Creek Park. Phase 2 will complete the residential portion of the Project along Humboldt. It will also add new townhomes and row houses along Girard, 51st and 49th Avenues. Phase 3 includes new single-family homes fronting 50th Avenue between Bohanan Park and Humboldt Avenue. This reconstructed right-of-way will include parking bays and a wide, landscaped boulevard.

Attachment A illustrates the redevelopment plan for the area, illustrating the new alignment of Humboldt Avenue and the location of different project phases and housing types. The entire Project will include approximately 202 new dwelling units. Individual homes will vary depending on the floor plan and elevation that homeowners select from available options. The project will be constructed in phases, indicated in the timeline below. **Attachment D** includes exhibits related to the single-family portion of the application(s), **Attachment E** includes exhibits related to the townhouse portion of the application(s), and **Attachment F** includes exhibits related to the row house portion of the application.

Updated Humboldt Greenway Project Phases and Time Frame*

<i>Period</i>	<i>Use</i>	<i>Location</i>
Phase 1a:	28 single-family homes	On each side of Humboldt between 52 nd and 53 rd Avenues N.
Phase 1b:	30 single-family homes 36 townhomes	On each side of Humboldt between 51 st and 52 nd and on a portion of 51 st Avenue On the east side of Humboldt between Shingle Creek Drive and 49 th Avenue N.
Phase 2:	29 single-family homes 24 townhomes 19 row houses	On the blocks bounded by Humboldt, Girard, 49 th Ave. N. and 51 st Ave. N.
Phase 3:	36 single-family homes	On 50 th Avenue, between Dupont and Girard

*This PUD application amends the PUD approvals for Phase 1a (approved 6/19/00) and Phase 1b (approved 12/11/00) by incorporating Phases 2 and 3 listed above. Any changes shall be submitted as amendments to this PUD. In cases of inconsistencies between this approval and previous approvals, the more restrictive requirements shall apply, unless otherwise specifically stated.

The Project involves a Planned Unit Development (PUD), which incorporates variances from zoning code standards to meet project and planning goals without compromising the intent of the underlying

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regulations or necessitating separate variance applications. The PUD allows flexibility in dimensional standards described herein.

Re-platting and rezoning for Phases 2 and 3 will create new developable parcels for single-family homes, townhouse clusters, and row houses. Humboldt Greenway 5th Addition, reviewed herein, is 866,468 square feet or approximately 19.9 acres. This plat includes street and alley rights-of-way dedication as a result of the re-alignment of the new parkway-like Humboldt Avenue, as well as the reorientation of alleys to facilitate development fronting 50th Avenue North. Roadway reconstruction has included or will include the entire length of Humboldt Avenue, the frontage road (Humboldt Lane) that forms the east side of the Central Green, modifications to alleys, and reconstruction of 50th Avenue North. On November 4th, 2002, the Planning Commission approved street and alley right-of-way vacations, subject to the dedication of these said new rights-of-way and utility easements.

The MCDA, Hennepin County's partner in this project, has a development agreement with CountryHome Builders. The development respects both the architectural style of the neighborhood as well as the demands of the marketplace. Single-family homes are designed to reflect the architecture of the 1920's and 1930's along Victory Memorial Drive, including a mix of "craftsman bungalows," "tudor," and "foursquare" two-story designs. Townhouse and row house units will also be designed to reflect the style of the same period, using decorative stone, brick and stucco building materials as well as traditional window designs. The developer has created homeowners' associations, including an Architectural Review Committee that will approve house design, color and material selection to insure adherence to design objectives and goals. See **Attachments D, E, and F** for elevations and floor plans.

The Attachments at the end of this report identify subdivision plats, site plans, elevations and floor plans for these two phases. Single-family home building footprints are shown generically, indicating the extent of possible building footprints given the range of floor plan and elevation options for buyers. Townhouse building footprints, however, are illustrated largely as the townhouse clusters will be developed. Each cluster will have two or three two-story units and one or two single-story unit either end. Three elevations are indicated, but building footprints will be identical. No two clusters will be identical due to variations in building materials and architectural detail.

Although home elevations will reflect the historic architecture of the area, floor plans will reflect contemporary market demand for such elements as eat-in kitchens, an owner's suite, and double car garages. Single-family homes will also be designed and placed on the lot to create efficient use of side/rear yard space on one side (i.e., the "active" side yard), while maintaining privacy for the neighbor to the opposite side by including only transom windows on that side. (Active side yards are indicated on the site plan with a star.) Garages may be detached or attached, depending upon the depth of each lot. Townhouse clusters are designed with four (4) units. End units will have attached garages while the interior two units will have detached garages set closer to the alley, thereby creating an interior courtyard space. Row house units, consisting of clusters of 4, 5 or 6 units, will each have an attached garage. Each home will have a private outdoor space at the rear of the unit.

REZONING (BZP45 through BZP48)

Findings as required by the Minneapolis Zoning Code:

1. **Whether the amendment is consistent with the applicable policies of the comprehensive plan.**

Attachment G indicates existing zoning in the area, including the parcels to be rezoned. Refer to finding A5 of the **CUP FOR PLANNED UNIT DEVELOPMENT**.

2. **Whether the amendment is in the public interest and is not solely for the interest of a single property owner.**

The concurrent applications relate to a redevelopment effort that involves a partnership between public bodies including Hennepin County, the Minneapolis Community Development Agency, the Minneapolis Park and Recreation Board, and the Lind-Bohanan and Shingle Creek Neighborhood Associations, as described in the “Background” section above.

3. **Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.**

Attachment G indicates existing zoning classifications in the area and the parcels to be rezoned. Residential zoning along Humboldt Avenue is consistently R4, while the areas to the west and east are R1A. Rezoning the parcels in the proposed subdivisions to R4 will permit the proposed uses that are similar in density to that of the general area (single-family at 7.9 units/net acre), or which are currently allowed under existing zoning along Humboldt Avenue (townhouse units at 11.6 units/net acre).

4. **Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.**

Proposed parcels to be rezoned to R4 are designated as R1A, R5 and C1. These zoning classifications permit single-family, multiple-family, and a variety of neighborhood commercial uses, respectively. Rezoning of R1A is required because PUD’s require R3 zoning or higher. Additional rezoning of properties is required because proposed new parcel boundaries are inconsistent with current zoning district boundaries. Land subdivision regulations require that subdivisions not create parcels with more than one zoning district.

5. **Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification**

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of particular property.

The area has always been low density residential. There has not been substantial change in the physical character of the area prior to redevelopment.

**CUP FOR A PLANNED UNIT DEVELOPMENT
(BZZ-942 AMENDING BZCU248 AND BZCU169)**

Findings as Required by the Minneapolis Zoning Code for the Conditional Use Permit for the Use:

A. The Minneapolis City Planning Department has analyzed the application and from the findings above concludes that the establishment, maintenance, or operation of the proposed conditional use:

1. Will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The proposed residential uses and density of the project are comparable to the historical density and land uses in the area. Single-family, townhouse and row house portions of the development are consistent with the *Minneapolis Plan* and “Humboldt Greenway Redevelopment Plan” (approved by the City 12/18/98, approved by City as amended 2/4/00), of which the site is a part (refer to finding A5 below for a detailed analysis of consistency). The project will comply with all applicable regulations and requirements governing the development and operation of the use.

2. Will not be injurious to the use and enjoyment of other property in the vicinity and will not impede the normal or orderly development and improvement of surrounding property for uses permitted in the district.

Development of new single-family homes and townhouse and row house clusters in a predominantly low-density residential area will enhance the area and will not result in adverse impacts. The townhouse units are designed to respect the character of the area and are arranged in four-unit clusters that resemble parkway homes. The row house units will also be designed to reflect the architectural character of the area. Except for this project area, the area is fully developed.

3. Adequate utilities, access roads, drainage, necessary facilities or other measures, have been or will be provided.

The proposed development will not differ substantially from previous uses in terms of density, access, parking, and utility use. Existing traffic volumes on Humboldt Avenue are relatively low, with an average of 3700 vehicles per day in 1997. Density will not be appreciably greater, although automobile trips could increase with increased household incomes and household size. Neither Hennepin County nor the transportation engineers in Public Works has indicated any concerns regarding increased vehicular traffic. Access to garages will be from alleys. Pedestrian and bicycle facilities will be improved with a mixed-use trail along the west side of Humboldt.

The developer will be working closely with the Public Works Department during the

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duration of this project to ensure that all procedures are followed in order to comply with all city requirements. The developer has proposed private storm sewers than run from each single-family yard and connect into the City's storm sewer system. The applicant must obtain encroachment permits from the City and memorialize these utilities through Gopher One.

4. Adequate measures have been or will be provided to minimize traffic congestion in the public streets.

The planned re-alignment of Humboldt Avenue will include a meandering parkway-like roadway, parking bays, sidewalks/trails, and landscaping. Driveway and garage access will be from the alley, as with previous uses, thereby reducing potential conflicts with through traffic.

As stated above, the Project will not result in substantial changes to existing traffic conditions.

The reconstruction and re-alignment of Humboldt Avenue will also incorporate bus stop pull-outs for routes that use Humboldt Avenue and 49th Avenue, including service to downtown Minneapolis and Brookdale.

5. Is consistent with the applicable policies of the comprehensive plan.

Map 9.6, *Land Use Policy—North Sector*, found in the *Minneapolis Plan*, designates this particular area as low- and medium-density residential, reflecting the existing character of the project area. Map 4.1, *Major Study Areas—North Sector*, however, designates the area as part of the Major Housing Site associated with the larger Humboldt Greenway project area. Major Housing Sites are intended for medium (10-30 units per acre) to high (30+units per acre) density residential development. The single-family units have a density of 7.9 units per acre while the townhouse units have a density of 11.6 unit per acre.

The following are relevant policies of the *Minneapolis Plan*.

Minneapolis Plan Chapter 4--Marketplaces: Neighborhoods

- 4.10 Minneapolis will reasonably accommodate the housing needs of all of its citizens.**
- 4.11 Minneapolis will improve the range of housing options for those with few or constrained choices.**
- 4.12 Minneapolis will both assume its appropriate responsibility for improving housing options among those with few or constrained choices, and collaborate with partners at the regional, state, federal and local level to assure that appropriate solutions are pursued throughout the region.**
- 4.15 Minneapolis will carefully identify project sites where housing redevelopment or and housing revitalization are the appropriate responses to**

neighborhood conditions and market demand.

- 4.16 Minneapolis will work closely with Neighborhood Revitalization Program (NRP) planning and implementation to ensure that NRP plans are consistent with the City's Housing Policy.**
- 4.17 Minneapolis will promote housing development that supports a variety of housing types at designated Major Housing Sites throughout the city.**

In *The Minneapolis Plan* encourages new housing developments to provide increased choices. The City should also promote mixed-income housing as part of a mixed-use development so provisions of affordable housing is more likely. This project will make 20% of the units affordable at 80% of the metropolitan median household income.

Minneapolis Plan Chapter 9—City Form

- 9.5 Minneapolis will support the development of residential dwellings of appropriate form and density.**
- 9.6 Minneapolis will work with private and other public sector partners to invest in new development that is attractive, functional and adds value to the physical environment.**
- 9.8 Minneapolis will maintain and strengthen the character of the city's various residential areas.**
- 9.16 Minneapolis will encourage new development to use human scale design features and incorporate sunlight, privacy, and view elements into building and site designs.**
- 9.17 Minneapolis will build on recent initiatives to use Crime Prevention Through Environmental Design (CPTED) principles when designing all projects that impact the public realm, including open spaces and parks, on publicly owned and private land.**
- 9.21 Minneapolis will preserve and enhance the quality of living in residential neighborhoods, regulate structures and uses which may affect the character or desirability of residential areas, encourage a variety of dwelling types and locations and a range of population densities, and ensure amenities, including light, air, privacy and open space.**
- 9.22 Minneapolis will promote increased housing production in designated areas of the City in order to accommodate population growth.**
- 9.27 Minneapolis will coordinate land use and transportation planning on designated Community Corridors through attention to the mix and intensity of land uses, the pedestrian character and residential livability of the streets, and the type of transit service provided on these streets.**
- 9.32 Minneapolis will promote housing development that supports a variety of housing types at designated Major Housing Sites throughout the city.**
- 9.34 Minneapolis will designate and develop selected Growth Centers which will be well served by transit and alternative transportation, have superior amenities, accommodate a range of housing needs and offer attractive employment opportunities.**

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This proposal is consistent with the *Humboldt Greenway Redevelopment Plan*, dated November 6, 1998, which describes the Humboldt Greenway Project and its partners, documentation of area blight, the extent of the redevelopment area, the public objectives for the redevelopment project, as well as other components of a redevelopment plan. Planning staff review of the project (Redevelopment Plan Review, 12 November 1998) found that the Plan was consistent with the draft Minneapolis Plan and Minneapolis Housing Principals.

Modification No. 1 to the Humboldt Greenway Redevelopment Plan, dated December 23, 1999, added language to the Redevelopment Plan describing the timing and location of different project phases, as indicated herein. This language also described the type of housing (single-family detached, single-family attached and multiple-family senior housing) that would be constructed (which will include approximately 270 new housing units). Modification No. 1 also amended the Land Use Map by eliminating commercial uses, which were replaced by residential uses. This modified Redevelopment Plan provides provided the legal authority for the creation of the new Humboldt Greenway Redevelopment Tax Increment Finance District within the project area.

- 6. And, does in all other respects conform to the applicable regulations of the district in which it is located upon approval of this conditional use permit, subdivision plat, site plan review and vacations.**

The PUD creates opportunities to vary underlying zoning code standards to meet project and planning goals without compromising the intent of the underlying regulations or requiring variance findings under the zoning code. All structures must meet all applicable regulations of the zoning code that are not specifically varied herein. All homes will have principal access via the public street/sidewalk; and private access via public alleys and/or private drives from public alleys.

Required yard variances

Humboldt Greenway Phase 2 and 3 require variances to reduce required yards from the district minimum requirements. Each Block upon which each four-unit townhouse cluster sits is considered a single zoning lot for purposes of establishing yard requirements. The cluster of lots upon which each cluster of row houses sits is considered a single zoning lot for the same purposes. All proposed setbacks less than minimum standards are established as part of the PUD approval as follows:

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	Zoning Code Requirement (feet)	Lots, Blocks	Authorized Setback (feet)
Front yard	15	Block 4 (establishing south side of Block as "front yard")	5
		Blocks 5, 6, 7, 9, 10, and 11 (each block established as single zoning lots)	10
Corner side yard	8	Block 8, Lot 4	5
Reverse corner side yard	Established front yard of adjacent or minimum 15'	Block 4, Lot 10	10
		Block 8, Lot 1	10
		Block 12, Lot 10	10
		Block 13, Lot 1	10
		Blocks 14 through 19, Lot 6	5
		Blocks 14 through 19, Lot 1	10

Other variances:

Phases 2 and 3 of the Humboldt Greenway also require the following variances:

1. Variance to decrease to 20 feet the minimum width within which a minimum 80% of habitable floor area must fall.
2. Variance to allow air conditioning systems in "active" side yards for all single-family dwellings, including reverse corner lots.
3. Variance to reduce the interior side yard setback from 5 feet to 0 feet for patios in the "active" side yards of single-family dwellings.
4. Variance to increase the maximum area of a patio in the "active" side yard from 50 square feet to 196 sq. ft. for single family dwellings.
5. Variance to increase the maximum projecting distance from a building for a balcony in a required yard from 4 feet to 6 feet for single family dwellings.
6. Variance to increase the maximum area of an entrance landing/stoop in a required front yard from 16 sq. ft. to 100 square feet for single family dwellings and town homes, with a depth and width no greater than 10' or 12', respectively.

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7. Variance to increase the maximum allowed height for all accessory structures (garages) from 12 feet to 14 feet at the midpoint of the roof measured from natural grade.
8. Variance to reduce the interior side yard setback required for principal entrances in the side yard from 15 feet to 10 feet (for patio entrances for single family dwellings).
9. Variance to increase the maximum allowed height of a fence in the required front yard from 3 feet to 4 feet 6 inches for all single family dwellings.
10. Variance to increase the maximum width of all stairs in a required front yard from 4 feet to 8 feet.
11. Variance to increase the maximum width of all walkways in a required front yard from 4 feet to 8 feet.

Staff recommends varying these setback requirements as part of the PUD approval.

B. In addition to the conditional use permit standards contained in Chapter 525, Administration and Enforcement, before approval of a planned unit development the city planning commission also shall find:

1. That the planned unit development complies with all of the requirements and the intent and purpose of this chapter. In making such determination, the following shall be given primary consideration:

a. The character of the uses in the proposed planned unit development, including in the case of a planned residential development the variety of housing types and their relationship to other site elements and to surrounding development.

The single-family portion of the Humboldt Greenway Project includes traditional lots in size and layout. Each of the single-family, townhouse, and row house portions of the development will reflect the architecture of the area's history; and each single-family home, townhouse cluster, or row house cluster will be oriented toward its respective principal public street (including 50th Avenue, which becomes a street upon which homes are oriented). The proposed development maintains traditional garage access from public alleys while the placement on the lot maximizes the efficient use of private open space for each homeowner or group of owners in the case of townhouse clusters.

b. The traffic generation characteristics of the proposed planned unit development in relation to street capacity, provision of vehicle access,

parking and loading areas, pedestrian access and availability of transit alternatives.

Refer to CUP finding A4.

- c. **The site amenities of the proposed planned unit development, including the location and functions of open space and the preservation or restoration of the natural environment or historic features.**

Principal components of the Project will include enhancement of open space, parkland, and environmental function. These improvements are public and, therefore, occur off-site. They include the “Central Green”, new open space and parkland adjacent to Olson Middle School and Creekview Park, boulevard tree planting, and enhancements to Shingle Creek including stormwater ponds. (See Attachment A).

- d. **The appearance and compatibility of individual buildings and parking areas in the proposed planned unit development to other site elements and to surrounding development, including but not limited to building scale and massing, microclimate effects of the development, and protection of views and corridors.**

Refer to the above CUP finding in B1a.

The change in building massing and orientation as a result of the redevelopment will be consistent throughout the corridor as part of master planning efforts. Open space and environmental improvements that are part of the Project will create new and enhance existing views, and become community focal points.

- e. **The relation of the proposed planned unit development to existing and proposed public facilities, including but not limited to provision for stormwater runoff and storage, and temporary and permanent erosion control.**

Refer also to findings in B1c. The developer has proposed private storm sewers than run from each single-family yard and connect into the City’s storm sewer system. The applicant must obtain encroachment permits from the City and memorialize these utilities through Gopher One.

All phases of the Project require the relocation and/or undergrounding of certain utilities and are the responsibility of the Applicant. This includes the preservation of utility easements or the paid relocation thereof.

2. **That the planned unit development complies with all of the applicable requirements contained in Chapter 598, Land Subdivision Regulations.**

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Refer also to finding A6 under **CUP FOR A PLANNED UNIT DEVELOPMENT**.

Minimum single-family lot size of 5,000 square feet

Humboldt Greenway 5th Addition creates some single-family lots that are less than the minimum 5,000 square feet required in the R4 zoning district. Section 527.150 of the zoning code authorizes reductions in minimum lot size. All lots intended for single-family homes maintain similar widths and meet the minimum requirement of 40 feet. Lots sizes vary from 4,585 to 10,525 feet as a result of the new meandering alignment of Humboldt Avenue. These variations in lot sizes are appropriate in that it maintains traditional and, essentially, uniform spacing between homes with similar footprints. Plat area lot tabulations are included in the attachments.

Each four-unit townhouse cluster is platted as a separate block, which includes seven lots. Most of these individual lots are less than the 5,000 square feet required, but each block totals from 14,681 to 16,074 square feet, more than meeting the zoning code standard of 1,500 square feet per unit. Townhouse units are platted as Lots 2, 3, 4, and 5 in each block. Lots 2 and 5, which constitute the end units of each four-unit cluster, are platted including the land upon which their attached garage sits. Lots 3 and 4, which constitute the interior two units of each four-unit cluster, are platted separately from their detached garages, Lots 1 and 6 respectively. The balance of the Block includes Lot 7, which represents common open space and passageways. Staff recommends varying the lot size standard given the analysis and arrangement described above.

Platting of reverse-frontage lots (Blocks 4, 8, 12, and 13-19)

Humboldt Greenway 5th Addition results in a re-orientation of lots along the north and south sides of 50th Avenue North between Humboldt and Dupont, along the south side of 51st Avenue North between Humboldt and Girard, and along the north side of 49th Avenue North between Humboldt and Girard. The reverse frontage lots along 50th Avenue are appropriate in creating a new parkway like environment in this portion of the development, which connects schools and open space at either end of 50th Avenue. Reverse-frontage platting for row houses along the south side of 51st, and along the north side of 49th Avenue, provide "bookends" or "framing" to the development, reflecting urban design objectives of the project. Replatting includes dedication of land to create new T- and C-shaped public alleys as a result of the reorientation of development.

Lots that are platted in reverse orientation to the rest of the block are generally prohibited by Section 598.240 of the Land Subdivision Regulations, except as part of a PUD. Staff recommends varying this requirement as these new lots allow new development to front new principal open spaces or focal points, or which contribute to the development of a unified urban neighborhood.

Maximum five-sided lot

(Lot 1 of Block 1; Lot 1 of Block 2; Lot 1 of Block 3; Lot 6 of Block 4; Lots 2, 5 and 7 of Blocks 5, 6, 7, 9, 10 and 11; Lots 6 and 13 of Block 8; Lot 5 of Block 12; Lots 6 and

15 of Block 13; Lots 3 and 4 of Blocks 14 through 19)

A number of lots are platted with more than five sides, which is normally prohibited by the Land Subdivision Regulations, but permitted as part of a PUD. All lots in Humboldt Greenway 5th Addition that will be developed and which have more than five sides are essential rectangular, but have multiple sides as a result of curving or angular rights-of-way. Staff recommends waiving this requirement, as the intent of the regulation is met with the design of the subdivision. The number of sides neither affects the relationship of the buildings to one another, or the relationship of the buildings to the roadway and open space.

Street frontage requirement

(Lots 1, 6 and 7 of Blocks 5-7 and 9-11; Lots 2-9 of Block 4)

Section 598.240 of the Land Subdivision Regulations requires that all platted lots front public streets, except as specifically exempted as part of a PUD. Lot 1, 6, and 7 of each townhouse Block do not have public frontage. These Lots will be legally related to Lots 2, 3, 4, and 5, as described in the paragraph immediately above, which do front public streets. No further development will be permitted on these lots, and staff recommends that this specific requirement be waived as part of the PUD.

Lots 2 through 9 of Block 6 will also lack frontage on a public street. Although the row houses upon which they sit will face 49th Avenue, a new platted Lot will lay immediately to the south. This Lot will be conveyed to the Park Board for the construction of a regional trail that will link Humboldt Avenue with the Mississippi River. Connections from the fronts of each unit to the public sidewalk/trail will be established through easements. No further development will be permitted on Lot 1 of Block 6, and staff recommends that this specific requirement be waived as part of the PUD.

ROW width requirement

Humboldt Greenway 5th Addition proposes the platting of new rights-of-way that don't meet Land Subdivision Regulations. It proposes a variance to reduce the required platted ROW width for the C-shaped alleys to 14' for the block bounded by 50th Avenue, 51st Avenue, Humboldt Lane/Avenue, and Girard Avenue; and for the block bounded by 49th Avenue, 50th Avenue, Humboldt Avenue/Lane and Girard Avenue. It also proposes a variance to reduce the required platted ROW width for Humboldt Lane North to 51 feet.

The ROW width of Humboldt Avenue is 66 feet, meeting the Land Subdivision Ordinance standard. Humboldt Lane is a one-way roadway, serving two primary purposes: 1) access and egress to properties that would ordinarily front Humboldt Avenue on the east side; 2) providing sole egress to properties fronting 50th Avenue (also a one-way) between Girard and Humboldt Way. The geometric design of Humboldt Way reinforces its role as a one-way street; and the intersections of Humboldt Avenue and Humboldt Way forms a public green space in which no development will occur.

The minimum ROW width provides the City with flexibility in the design (including width) of streets to meet changing traffic needs (including increases in traffic). Humboldt

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Avenue meets this need. Although Humboldt Way parallels Humboldt Avenue, it does not function as a typical north/south street because of its design and terminal intersections with Humboldt Avenue. Therefore, future lane requirements are essentially static and staff recommends varying this standard.

The proposed right-of-way width for the alley in the block described above does not meet current standards, but is the typical width of City alley ROW. Staff recommends varying this standard.

SUBDIVISION PLAT

PL-124 - Replatting (Humboldt Greenway 5th Addition) of parcels including those adjacent to Humboldt Avenue North between 49th and 51st Avenues North; those adjacent to the west side of Girard Avenue North between 49th and 51st Avenues North; and clusters of parcels which, in their entirety, are adjacent to 50th Avenue North between Humboldt and Dupont Avenues North.

Findings as required by the land subdivision regulations:

1. **Subdivision is in conformance with the land subdivision regulations including the requirements of section 598.80 relating to protection of natural resources, applicable regulations of the Zoning Code, and policies of the Comprehensive Plan.**

The re-alignment of Humboldt Avenue and the redevelopment of housing necessitate the removal of many trees. The Project will preserve existing trees for home sites when practical.

Refer to finding A6 and B2 under **CUP FOR A PLANNED UNIT DEVELOPMENT** for a discussion of applicable regulations of the Zoning Code and land subdivision regulations.

Refer to findings A5 under for a listing and discussion of relevant policies of the *Minneapolis Plan*.

2. **Subdivision will not be injurious to the use and enjoyment of other property in the immediate vicinity, nor be detrimental to present and potential surrounding land uses, nor adds substantially to congestion in the public streets.**

The plat creates parcels that implement the development proposed in the CUP for the proposed single family housing of Phase 1b of the Humboldt Greenway Project. Refer to findings A1, A2, A3 and A4 under **CUP FOR A PLANNED UNIT DEVELOPMENT**.

3. **All land intended for building sites can be used safely without endangering the residents or uses of the subdivision and the surrounding area by peril from floods, erosion, high water table, severe soil conditions, improper drainage, steep slopes, utility easements, rock formations, or other hazard.**

The land is relatively flat, and does not present the above hazards.

4. **The lot arrangement is such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits and in providing driveway access to buildings on such lots from an approved street. Each lot created through subdivision is suitable in its natural state for the proposed use with minimal alteration.**

The subdivision, as proposed, provides access to principal entrances from public streets, and private access via public alleys.

5. **The subdivision makes adequate provision for storm or surface water runoff, and temporary**

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and permanent erosion control. The storm water drainage system shall be separate and independent of any sanitary sewer system. All plans shall be designed in accordance with rules, regulations and standards of the city engineer. Facilities intended to be dedicated to the City shall be located in perpetual, unobstructed easements of a width determined to be adequate and necessary by the city engineer. To the extent practicable, the amount of stormwater runoff from the site after development does not exceed the amount occurring prior to development.

The applicant is working closely with Public Works staff to obtain necessary grading, erosion control, and stormwater management permits.

The developer has proposed private storm sewers than run from each single-family yard and connect into the City's storm sewer system. The applicant must obtain encroachment permits from the City and memorialize these utilities through Gopher One.

PLANNING DEPARTMENT RECOMMENDATIONS

The City Planning Department recommends that the City Planning Commission adopt the above findings and **approve** the amended Conditional Use Permit application for a Planned Unit Development, incorporating Phases 2 and 3 into the Humboldt Greenway PUD, subject to the following conditions:

1. No development shall be permitted on Outlots A and B; upon Lot 1, Block 1; Lot 1, Block 2; Lot 1, Block 3; nor Lot 1, Block 4.
2. The applicant or developer shall consult with appropriate Public Works staff and obtain any necessary grading, erosion control, and stormwater management permits prior to obtaining building permits.
3. The applicant or developer shall obtain all required permits for any private storm sewer connections to the public storm sewer system and memorialize them with Gopher One.
4. The applicant or developer shall obtain encroachment permits for retaining walls that fall within the public right-of-way.
5. At least twenty percent of the units shall be affordable to households at 80% of the metropolitan median household income, as per agreement with the MCDA.
6. Individual homes, or group of attached townhouses, must meet dimensional requirements of the Zoning Code not specifically varied herein as part of the Planned Unit Development. Each Block of townhomes, or cluster of lots upon which each cluster of row houses sit, shall be considered a single zoning lot for these purposes.
7. Landscaping of single-family lots must comply with that described in prior approvals. The applicant shall preserve and protect existing trees whenever possible.
8. The developer shall use a variety of elevations, building materials and architectural treatments such that each townhouse cluster is unique.
9. Prior to obtaining building permits for townhouse clusters, the applicant or developer must submit a landscaping plan that is consistent with the landscaping standards of Chapter 530, Site Plan Review, of the Zoning Code. The applicant shall preserve and protect existing trees whenever possible.
10. The developer shall incorporate additional landscaping in Outlots A and B and in the portions of Lots 13 through 15 of Block 13 that fall to the west of the private sidewalk. The developer shall landscape this area to give this area a unified appearance and massing. The developer shall also establish maintenance responsibilities for the homeowners' association(s) to maintain all of these areas.

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11. The homeowners' association(s) shall maintain landscaping of boulevards throughout the Humboldt Greenway PUD.
12. Single-family driveway lengths shall be generally limited to a length of twenty-five (25) feet and a minimum distance between the house and the garage, if detached, of fifteen (15) feet. Townhouse driveway lengths must comply with the site plan included herein.
13. Individual site plans shall indicate walkways connecting each residential unit with the public sidewalk.
14. Any signs or entry monuments for the Project must be submitted and reviewed as an amendment to this PUD.
15. The developer must meet all State Building Code and Energy Code Requirements, and all other applicable codes and ordinances prior to the owner(s) occupying the site. In order to maximize energy efficiency on the Project, the applicant will participate in the appropriate programs offered by the utilities, such as NSP's Energy Assets Program.
16. All site improvements for Phases 2 and 3 shall be completed by December 11th, 2005 or the permit may be revoked for non-compliance.
17. Planning Department review and approval of final site plans, homeowners' association documents, and landscaping plans before issuance of building permits.

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the preliminary and final plat applications PL-124 reviewed herein.

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for rezoning from C1 to R4 of Lots 15 and 16, Block 9, Camden Bungalow Addition to Minneapolis (4900 Humboldt Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for rezoning from C1 to R4 of 4901 Humboldt Avenue North (metes and bounds legal description in staff report) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for rezoning from R1A to R4 of Lots 4 through 6 of Block 1, Shingle Creek Addition and Lots 13 through 24 of Block 6 of Thorpe Bros Maple Leaf Addition to Minneapolis (5000-5062 (even) Irving Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.

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The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for rezoning from R5 to R4 of Lots 1 through 3 of Block 1, Shingle Creek Addition (5001, 5003, and 5007 Humboldt Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for rezoning from R1A to R4 of Lots 12 through 17 of Block 5, Camden Bungalow Addition to Minneapolis (5001, 5005 and 5009 Dupont Avenue North; and 5002, 5006 and 5010 Emerson Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for rezoning from R1A to R4 of Lots 1 through 3, 26, and 28 of Block 12, Camden Bungalow Addition to Minneapolis (4949 and 4953 Dupont Avenue North; and 4946 and 4954 Emerson Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for rezoning from R1A to R4 of Lots 12 through 17 of Block 6, Camden Bungalow Addition to Minneapolis (5001, 5007 and 5011 Emerson Avenue North; and 5000, 5004 and 5008 Fremont Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for rezoning from R1A to R4 of Lots 1, 2, 3, 26, 27, and 28 of Block 11, Camden Bungalow Addition to Minneapolis (4947, 4951 and 4955 Emerson Avenue North; and 4944, 4948 and 4952 Fremont Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for rezoning from R1A to R4 of Lots 12 through 17 of Block 7, Camden Bungalow Addition to Minneapolis (5001, 5005, and 5009 Fremont Avenue North; and 5000, 5004 and 5008 Girard Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.

The City Planning Department recommends that the City Planning Commission and City Council adopt the above findings and **approve** the application for rezoning from R1A to R4 of Lots 1, 2, 3, 26, 27 and

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28 of Block 10, Camden Bungalow Addition to Minneapolis (4945, 4949 and 4953 Fremont Avenue North; and 4944, 4948 and 4952 Girard Avenue North) to create consistent R4 zoning throughout the project to allow platting for a Planned Unit Development (PUD), as per Chapter 525 of the Zoning Code and Chapter 598, Land Subdivision Regulations.

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I. ATTACHMENTS

- A. PROJECT CONCEPT PLAN/PHASING
- B. SITE PLAN FOR PHASES 2 AND 3
- C. HUMBOLDT GREENWAY 5TH ADDITION PLAT/LOT AREA
- D. SINGLE-FAMILY
 - 1) Elevations and Floor Plans
 - 2) Description of Plans for Single Family Homes and Lot Improvements
- E. TOWNHOUSES
 - 1) Elevations and Floor Plans
 - 2) Description of Plans for Townhouse Units and Lot Improvements
- F. ROW HOUSES
 - 1) Elevations and Floor Plans
 - 2) Description of Plans for Townhouse Units and Lot Improvements
- G. EXISTING ZONING/PARCELS TO BE REZONED

ATTACHMENT A:

Project Concept Plan/Phasing

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ATTACHMENT B:

Site Plan for Phases 2 and 3

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ATTACHMENT C:
HUMBOLDT GREENWAY 5TH ADDITION PLAT/LOT
AREA

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ATTACHMENT D:

Single-Family

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ATTACHMENT E:

Townhouses

Rezoning: BZZ 933 through 941
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ATTACHMENT F:

Row Houses

Rezoning: BZZ 933 through 941
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ATTACHMENT G:

Existing Zoning/Parcels to be Rezoned